

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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RONNIE ARIAS,

Plaintiff,

v.

ANTHONY RENDLEMAN and  
HIRSCHBACH TRANSPORTATION  
SERVICES, INC.,

Defendants.

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C.A. NO. 18-12430

**NOTICE OF REMOVAL**

The Defendants, Anthony Rendleman and Hirschbach Transportation Services, Inc., file this Notice of Removal to the United States District Court for the District of Massachusetts from Essex Superior Court, Essex County, Trial Court of the Commonwealth of Massachusetts, and state the following in support of this Notice of Removal:

1. Plaintiff Ronnie Arias is an individual who resides in Lynn, Essex County, Massachusetts. Mr. Arias filed a civil action against Defendants Anthony Rendleman and Hirschbach Transportation Services, Inc. in Essex Superior Court, Essex County, Trial Court of the Commonwealth of Massachusetts, Civil Action No. 1877CV01502, entitled *Ronnie Arias v. Anthony Rendleman and Hirschbach Transportation Services, Inc.* On or about October 22, 2018, the defendants received a copy of the Complaint and Civil Action Cover Sheet.

2. This Notice of Removal is filed in the United States District Court for the District of Massachusetts within the time allowed by law for removal of civil actions. The documents

attached hereto as Exhibit A constitute all of the process and pleadings served upon the Defendants to date.

3. This action is removable to this Court pursuant to 28 U.S.C. § 1441 (b), because the Plaintiff is domiciled in Massachusetts, Defendant Anthony Rendleman is domiciled in North Carolina, and Defendant Hirschbach Motor Lines, Inc. (improperly named as Hirschbach Transportation Services, Inc.) is a corporation incorporated in Illinois with its principal place of business in East Dubuque, Illinois. Complete diversity of citizenship exists. The amount in controversy exceeds statutory minimums for federal jurisdiction. The plaintiff alleges that he sustained injuries to his neck, back, right wrist, and left knee, which allegedly required extensive physical therapy and allegedly resulted in continued impairment. According to his Civil Action Cover Sheet, the plaintiff claims documented medical and physical therapy expenses of \$11,498, and lost wages of \$33,600. The plaintiff further seeks costs, interest, and attorney's fees. Plaintiff's counsel has made a demand of \$100,000.

4. In accordance with 28 U.S.C. § 1446 (b), this Notice of Removal is being filed within thirty (30) days of receipt of the Complaint, the Complaint being received on or about October 25, 2018.

5. In accordance with 28 U.S.C. § 1446(d), a notice of the filing of this Notice of Removal and a copy of this Notice of Removal will be filed with the Clerk of Essex Superior Court, Essex County, Trial Court of the Commonwealth of Massachusetts.

6. Pursuant to Local Rule 81.1(A), the defendants shall request of the Clerk of the Essex Superior Court, Essex County, Trial Court of the Commonwealth of Massachusetts, certified or attested copies of all records and proceedings in the state court and certified or attested to copies

of all docket entries therein, and shall file the same with this Court within twenty-eight (28) days after filing of this Notice of Removal.

WHEREFORE, the petitioners pray that said action now pending in Essex Superior Court, Essex County, Trial Court of the Commonwealth of Massachusetts be removed therefrom to the United States District Court for the District of Massachusetts.

Respectfully submitted,

DEFENDANTS,  
ANTHONY RENDLEMAN and  
HIRSCHBACH TRANSPORTATION  
SERVICES, INC.

By Their Attorneys,

*/s/ Sean F. McDonough*

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**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on November 21, 2018

/s/ Sean F. McDonough